sheathed explosive units and shall give the applicant an opportunity to provide MSHA with a statement of its position prior to any disclosure.

### § 15.10 Post-approval product audit.

(a) Approved explosives and sheathed explosive units shall be subject to periodic audits by MSHA for the purpose of determining conformity with the technical requirements upon which the approval was based. Any approved explosive or sheathed explosive unit which is to be audited shall be selected by MSHA and be representative of those distributed for use in mines. The approval-holder may obtain any final report resulting from such audit.

(b) No more than once a year, except for cause, the approval-holder, at MSHA's request, shall make one case of explosives or 25 sheathed explosive units available at no cost to MSHA for an audit. The approval-holder may observe any tests conducted during this audit.

(c) An approved explosive or sheathed explosive unit shall be subject to audit for cause at any time MSHA believes that it is not in compliance with the technical requirements upon which the approval was based.

(d) Explosives approved under regulations in effect prior to January 17, 1989, shall conform to the provisions on field samples set out in those regulations (See 30 CFR part 15, 1987 edition).

### § 15.11 Revocation.

(a) MSHA may revoke for cause an approval issued under this part if the explosive or sheathed explosive unit—

(1) Fails to meet the applicable technical requirements; or

(2) Creates a hazard when used in a mine.

(b) Prior to revoking an approval, the approval-holder shall be informed in writing of MSHA's intention to revoke. The notice shall—

(1) Explain the specific reasons for the proposed revocation; and

(2) Provide the approval-holder an opportunity to demonstrate or achieve compliance with the product approval requirements.

(c) Upon request, the approval-holder shall be afforded an opportunity for a hearing.

(d) If an explosive or sheathed explosive unit poses an imminent hazard to the safety or health of miners, the approval may be immediately suspended without a written notice of the agency's intention to revoke. The suspension may continue until the revocation proceedings are completed.

## Subpart B—Requirements for Approval of Explosives

### § 15.20 Technical requirements.

(a) *Chemical composition*. The chemical composition of the explosive shall be within the tolerances furnished by the applicant.

(b) *Rate-of-detonation test*. The explosive shall propagate completely in the rate-of-detonation tesst. The test is conducted at an ambient temperature between 68 and 86 °F. Nongelatinous explosives are initiated with a test detonator only, while gelatinous explosives are initiated with a test detonator and a 60-gram tetryl pellet booster. The test is conducted on—

(1) A 50-inch column of 1¼ inch diameter cartridges; and

(2) A 50-inch column of the smallest diameter cartridges less than 1¼ inches submitted for testing.

(c) *Air-gap sensitivity*. The air-gap sensitivity of the explosive shall be at least 2 inches at the minimum product firing temperature and 3 inches at a temperature between 68 and 86 °F, and the explosive shall propagate completely.

(1) Air-gap sensitivity of the explosive is determined in the explosion-by-influence test using the 7-inch cartridge method. The air-gap sensitivity is determined for 1¼ inch diameter cartridges and each cartridge diameter smaller than 1¼ inches. Explosives are initiated with a test detonator.

(2) The 7-inch cartridge method is conducted with two 8-inch cartridges. One inch is cut off the end of each cartridge. The cartridges are placed in a paper tube, the cut ends facing each other, with the appropriate 2-inch or 3-inch air gap between them. The test is conducted at a temperature between 68 and 86 °F and at the minimum product firing temperature proposed by the applicant, or 41 °F, whichever is lower.